

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his )  
capacity as ATTORNEY GENERAL )  
OF THE STATE OF OKLAHOMA and )  
OKLAHOMA SECRETARY OF THE )  
ENVIRONMENT C. MILES TOLBERT,) )  
in his capacity as the )  
TRUSTEE FOR NATURAL RESOURCES )  
FOR THE STATE OF OKLAHOMA, )

Plaintiff, )

vs. ) 4:05-CV-00329-TCK-SAJ

TYSON FOODS, INC., et al, )

Defendants. )

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THE VIDEOTAPED DEPOSITION OF  
DAN HENDERSON, produced as a witness on behalf of  
the Plaintiff in the above styled and numbered  
cause, taken on the 5th day of June, 2008, in the  
City of Tulsa, County of Tulsa, State of Oklahoma,  
before me, Lisa A. Steinmeyer, a Certified Shorthand  
Reporter, duly certified under and by virtue of the  
laws of the State of Oklahoma.

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**918-587-2878**

**EXHIBIT**

**9**

1 A We basically debone a lot of chicken for a lot  
2 of the major companies.

3 Q Who would be your major -- I guess you would  
4 call them customers?

5 A Yes. That would be Tyson Foods, Simmons, 09:07AM  
6 Petersons to some degree. It's kind of an off and  
7 on business with Peterson. Talking to George's  
8 about a little current work for them possibly. We  
9 do work for Pilgrim Pride out of Texas. Townsend  
10 Poultry. Several of the companies. That's the 09:08AM  
11 major ones we work with on an ongoing basis.

12 Q The one you didn't name -- well, you didn't  
13 name Peterson Farms.

14 A Yeah.

15 Q Do you do work for them? 09:08AM

16 A We do a little bit, not very much.

17 Q How about for Cargill?

18 A No.

19 Q Now, would you go through your employment  
20 history, please? 09:08AM

21 A Well, I was with Peterson from '72 to 2000,  
22 July of 2000.

23 Q What positions did you hold with Peterson?

24 A I may not remember them all. I started off as  
25 an accountant. My education is in accounting. 09:08AM

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1 That's what my degree is in. Was credit manager for  
2 a while, in addition to accounting. Was controller  
3 for a while. Was chief financial officer for a  
4 while. Was an chief operating officer for a while,  
5 was an executive vice-president for a while, and was  
6 president and chief operating officer whenever I  
7 left.

09:09AM

8 Q Well, the position of controller,  
9 approximately when did you hold that?

10 A That would have probably been back in the  
11 early '80's I would say.

09:09AM

12 Q Okay, and then you were the vice-president  
13 after that? You had a vice-president's position?

14 A Uh-huh.

15 Q What was the scope of that position?

09:09AM

16 A I supervised various aspects, mainly the more  
17 financial-type sections. The IT department reported  
18 to me. The accounting group reported to me, and I  
19 did some of the work with the banks on financing.

20 Q Over what period of time were you in that  
21 position?

09:10AM

22 A Truthfully I can't recall. I was there for  
23 two or three years probably.

24 Q All right, and was that the position that you  
25 held between being controller and being the CEO?

09:10AM

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1 poultry waste could be the source of human disease?

2 A No, not that I recall.

3 Q During your time with Peterson Farms, did

4 there ever come a point where there was concern

5 about water quality issues in the Illinois River

11:00AM

6 watershed?

7 A I do not recall that.

8 Q The -- do you understand the term vertically

9 integrated?

10 A Yes.

11:01AM

11 Q Was -- while you were at Peterson Farms, did

12 you consider it to be a vertically integrated

13 company?

14 A Yes.

15 Q And what were the aspects of those operations

11:01AM

16 that pointed to the fact that it was vertically

17 integrated?

18 A We produced the eggs that hatched into chicks,

19 that developed into broilers, that developed into

20 meat.

11:01AM

21 Q And was there an effort to control all aspects

22 of that production so you got a uniform product at

23 the end of it?

24 A That would be one of the goals.

25 MR. BULLOCK: I think that's all that I

11:01AM

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